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SIXTY-THIRD LEGISLATURE

FIFTY-FOURTH LEGISLATIVE DAY
FRIDAY, MARCH 4, 2016

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senators Anthon and Davis, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Cardston Stanford, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 3, 2016, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Lakey, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 4, 2016

The JUDICIARY AND RULES Committee reports that [S 1376](#), [S 1377](#), [S 1378](#), [S 1379](#), [S 1380](#), [S 1381](#), [S 1382](#), and [S 1383](#) have been correctly printed.

LODGE, Chairman

[S 1376](#) was referred to the Education Committee.

[S 1377](#) and [S 1378](#) were referred to the State Affairs Committee.

[S 1379](#), [S 1380](#), and [S 1381](#) were referred to the Finance Committee.

[S 1382](#) was referred to the Health and Welfare Committee.

[S 1383](#) was referred to the Judiciary and Rules Committee.

Senator Davis was recorded present at this order of business.

March 3, 2016

The LOCAL GOVERNMENT AND TAXATION Committee reports out [S 1347](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SIDDOWAY, Chairman

There being no objection, [S 1347](#) was referred to the Fourteenth Order of Business, General Calendar.

March 4, 2016

The HEALTH AND WELFARE Committee reports out [H 481](#) and [H 500](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 481](#) and [H 500](#) were filed for second reading.

March 4, 2016

The STATE AFFAIRS Committee reports out [H 426](#), [H 427](#), [H 436](#), [H 464](#), and [HCR 29](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[H 426](#), [H 427](#), [H 436](#), and [H 464](#) were filed for second reading.

[HCR 29](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Lakey, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 3, 2016

Dear Mr. President:

I transmit herewith [HCR 46](#), [H 535](#), [H 546](#), [H 547](#), [H 548](#), [H 549](#), [H 550](#), [H 551](#), [H 552](#), and [H 523](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[HCR 46](#), [H 535](#), [H 546](#), [H 547](#), [H 548](#), [H 549](#), [H 550](#), [H 551](#), [H 552](#), and [H 523](#) were filed for first reading.

March 3, 2016

Dear Mr. President:

I return herewith [S 1229](#), [S 1259](#), [S 1270](#), [S 1271](#), [S 1219](#), and [S 1249](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[S 1229](#), [S 1259](#), [S 1270](#), [S 1271](#), [S 1219](#), and [S 1249](#) were referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Johnson, granted by unanimous consent, [HCR 32](#) retained its place on the calendar for Monday, March 7, 2016.

The President Pro Tempore announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Kevin C. Boling was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Nuxoll, seconded by Senator Burgoyne, the Gubernatorial reappointment of Kevin C. Boling as a member of the Board of Environmental Quality was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

Senator Anthon was recorded present at this order of business.

The President Pro Tempore announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of William B. Booth was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Vick, seconded by Senator Lacey, the Gubernatorial reappointment of William B. Booth as a member of the Northwest Power and Conservation Council was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1384 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO THE LIMITED LINES TRAVEL INSURANCE ACT; AMENDING TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 62, TITLE 41, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE REQUIREMENTS FOR LIMITED LINES TRAVEL INSURANCE PRODUCERS, TO REQUIRE REGISTRATION, TO PROVIDE FOR TYPES OF POLICIES, TO PROVIDE FOR RESPONSIBILITIES OF LIMITED LINES TRAVEL INSURANCE PRODUCERS AND TO PROVIDE FOR ENFORCEMENT.

S 1385 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO MOTOR VEHICLES AND FINANCIAL RESPONSIBILITY; AMENDING SECTION 49-117, IDAHO CODE, TO REVISE THE DEFINITION OF "PROOF OF FINANCIAL RESPONSIBILITY," TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR APPLICABILITY.

S 1386 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO ABORTION; TO PROVIDE A SHORT TITLE; AMENDING SECTION 18-604, IDAHO CODE, TO PROVIDE ADDITIONAL DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 6, TITLE 18, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 18-622 THROUGH 18-629, IDAHO CODE, TO PROHIBIT DISMEMBERMENT ABORTIONS, TO PROVIDE FOR PROTECTION OR PRIVACY IN COURT PROCEEDINGS, TO PROVIDE FOR INJUNCTIONS AGAINST DISMEMBERMENT ABORTIONS, TO PROVIDE CIVIL REMEDIES, TO PROVIDE ATTORNEY'S FEES, TO PROVIDE CRIMINAL PENALTIES, TO PROVIDE FOR CONSTRUCTION AND TO PROVIDE SEVERABILITY; AMENDING SECTION 18-617, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; REPEALING SECTION 18-613, IDAHO CODE, RELATING TO PARTIAL-BIRTH ABORTIONS; AMENDING CHAPTER 6, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-613, IDAHO CODE, TO PROHIBIT PARTIAL-BIRTH ABORTIONS, TO PROVIDE AN EXCEPTION, TO PROVIDE DEFINITIONS, TO PROVIDE FOR CIVIL ACTIONS, TO PROVIDE FOR A FACT-FINDING HEARING WITH THE STATE MEDICAL BOARD AND TO PROVIDE LIMITED IMMUNITY TO THE PERSON UPON WHOM THE ABORTION IS PERFORMED; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

[S 1384](#), [S 1385](#), and [S 1386](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[HCR 46](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

[H 535](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 546](#), [H 547](#), [H 548](#), [H 549](#), [H 550](#), [H 551](#), and [H 552](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 523](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 389](#) and [H 390](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[S 1356](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1338](#), by Resources and Environment Committee, was read the second time at length and filed for third reading.

[H 429](#), by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

[S 1361](#) and [S 1362](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[H 491](#), as amended, by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

S 1354, by State Affairs Committee, was read the second time at length and filed for third reading.

H 451, by Education Committee, was read the second time at length and filed for third reading.

H 456, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

H 499, by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 458, as amended in the Senate, by Education Committee, was read the second time at length and filed for third reading.

H 447, as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1341, as amended, by Health and Welfare Committee, was read the second time at length and filed for third reading.

S 1300, as amended, and S 1256, as amended, as amended, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

H 343, by Transportation and Defense Committee, was read the second time at length and filed for third reading.

H 366, H 368, H 486, and H 519, by Business Committee, were read the second time at length and filed for third reading.

H 496, by Local Government Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1363 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared S 1363 passed, title was approved, and the bill ordered transmitted to the House.

S 1364 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared S 1364 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Lakey, granted by unanimous consent, H 445 was placed at the top of the calendar.

H 445 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared H 445 passed, title was approved, and the bill ordered returned to the House.

S 1365 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Guthrie disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared S 1365 passed, title was approved, and the bill ordered transmitted to the House.

S 1366 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayn, Ward-Engelking, Winder. Total - 31.

NAYS—Mortimer, Nuxoll, Souza, Vick. Total - 4.

Total - 35.

Whereupon the President Pro Tempore declared S 1366 passed, title was approved, and the bill ordered transmitted to the House.

S 1367 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee,

Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1367](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1368](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Schmidt, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 32.

NAYS—Nuxoll, Rice, Vick. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [S 1368](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1369](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1369](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Lakey, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills, followed by House appropriations bills.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Lakey, granted by unanimous consent, the Senate went at ease and resolved itself into the Committee for the Idaho Day Service.

The Idaho Day Service was presented to the members of the Senate with Senator Den Hartog providing opening remarks.

The Silver Trail Elementary 4th Graders performed "Fifty Nifty United States", "Here We Have Idaho" and "Everyday Heroes".

Closing remarks were provided by Senators Anthon and Den Hartog. They extended gratitude to all who helped with the program and the Idaho Day Service was dissolved.

On request by Senator Lakey, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Lakey, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 10 a.m., Monday, March 7, 2016.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary